

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

U.S.A. vs. Karon Anthony Hardy

Docket No. 4:07-CR-68-1FL

Petition for Action on Supervised Release

COMES NOW Michael W. Dilda, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Karon Anthony Hardy, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess with the Intent to Distribute More Than Five (5) Grams of Cocaine Base (Crack), was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on June 10, 2008, to the custody of the Bureau of Prisons for a term of 70 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 5 years under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.
3. The defendant shall participate in a program of mental health treatment, as directed by the probation office.
4. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
5. The defendant shall participate in a vocational training program as directed by the probation office.
6. The defendant shall cooperate in the collection of DNA as directed by the probation officer.

On October 15, 2012, the defendant's sentence was reduced to 60 months imprisonment pursuant to an Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2). Karon Anthony Hardy was released from custody on October 17, 2012, at which time the term of supervised release commenced. On November 6, 2014, a Violation Report was submitted to the

court that advised the defendant tested positive for cocaine on September 23, 2014. The court agreed with the probation officer's recommendation to continue supervision, in which Hardy agreed to participate in more intensive drug testing via the Surprise Urinalysis Program.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On November 12, 2014, the defendant provided a urine sample that was submitted for laboratory analysis. On November 21, 2014, laboratory analysis revealed positive results for marijuana and cocaine. On December 23, 2014, Hardy admitted to using drugs at the time of the urinalysis test on November 12, 2014. The defendant continues to participate in frequent drug testing measures and will be returning for additional substance abuse counseling. Additionally, as a sanction for this violation conduct, confinement of 3 days in the custody of the Bureau of Prisons is recommended, along with the participation in a cognitive behavioral program as directed by the probation officer.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 3 days and shall abide by all rules and regulations of the designated facility.
2. The defendant shall participate in a cognitive behavioral program as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

/s/ Michael W. Dilda
Michael W. Dilda
U.S. Probation Officer
201 South Evans Street, Room 214
Greenville, NC 27858-1137
Phone: 252-758-7200
Executed On: December 24, 2014

Karon Anthony Hardy
Docket No. 4:07-CR-68-1FL
Petition For Action
Page 3

ORDER OF COURT

Considered and ordered this 29th day of December, 2014, and ordered filed and made a part of the records in the above case.

/s/ Louise W. Flanagan
Louise W. Flanagan
U.S. District Judge